

COMMISSION MEETING

1:30 P.M.

JANUARY 8, 2020

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, January 8, 2020, in the City Commission Meeting Room with Mayor Geitz presiding and Commissioners Giefer, Gilligan, and Smith present. Commissioner Mlynar was absent. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

Consent Agenda

Commissioner Smith requested item f, Consider the Request by Emporia Chamber of Commerce and Convention Visitors & Tourism Bureau to an Appropriation of \$30,000.00 for Ignite Emporia Program, be removed from the Consent Agenda.

It was moved Commissioner Smith, seconded by Commissioner Giefer that the remaining balance of the Consent Agenda listed below be ratified as a whole:

- a. Consider minutes of the Regular Meeting held on December 18, 2019.
- b. Consider ratification of Payroll Ordinance for the period ending on December 20, 2019.
- c. Consider Approval of Memorandum of Understanding with Emporia Regional Quilt Guild.
- d. Consider Change Order NO. 1 for the 2019 South Avenue Water System Improvement Project NO. WM1903.
- e. Consider Change Order NO. 4 for the 2019 Utility Improvements: Sanitary Sewer, Storm Sewer and Waterline Peyton Street at BNSF Crossing Project NO. 18Bunge.

The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

**CONSENT AGENDA
(Item f.)**

- f. Consider the Request by Emporia Chamber of Commerce and Convention Visitors & Tourism Bureau to an Appropriation of \$30,000.00 for Ignite Emporia Program.

City Manager McAnarney this item had previously been discussed at a Study Session and the original request was for \$150,000.00 for a 5 year commitment.

Commissioner Smith stated she wanted more discussion at a Study Session on this item. She then made a motion to table this item for more discussion and agreement. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, nay.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

**CITY COMMISSION
(Board Appointment)**

Natural Resources Advisory Board (NRAB):

It was moved by Commissioner Gilligan, seconded by Commissioner Giefer that Daphne Mertens, Darren Rebar, Erika Martin and Clara Corn be appointed to the Natural Resources Advisory Board for terms that expire December 31, 2022; and Justin Ogleby, Jayden Cornwell, Allysa Hallett, Marcia Lawrence be appointed to the Natural Resources Advisory Board for terms that expire December 31, 2023; and to re-appoint Dustin Michelson for a term that expires December 31, 2023. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Giefer aye.

Joint Metropolitan Planning Commission/Board of Zoning Appeals:

It was moved by Commissioner Gilligan, seconded by Commissioner Giefer that Joshua Williams and Larry Bucklinger be re-appointed to the Joint Metropolitan Planning Commission/Board of Zoning Appeals for terms that expire December 31, 2023. The vote follows: Commissioner Gilligan,

aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Emporia Convention & Visitors Advisory Board:

_____ It was moved by Commissioner Gilligan, seconded by Commissioner Giefer that Jess Buchholz and Greg Jordan be re-appointed to the Emporia Convention & Visitors Advisory Board for terms that expire December 31, 2022. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

HOUSING

**(Authorize Grant with the Federal Home Loan Bank of Topeka)
(Affordable Housing Program Agreement - \$240,800)**

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated the City has been awarded a grant through the Federal Home Loan Bank of Topeka for a direct subsidy in the amount of \$240,800 to repair 30 homes located within the city limits of Emporia. The Federal Home Loan Bank of Topeka's Affordable Housing Program will allows repairs on houses occupied by owners with household income of less than 50% of area median income. He stated the City has been awarded and has successfully completed many of these grants since 2000. He stated staff was recommending authorizing the Mayor to sign a grant agreement with the Federal Home Loan Bank of Topeka.

Commissioner Gilligan made a motion authorizing the Mayor to sign a grant agreement with the Federal Home Loan Bank of Topeka for a direct subsidy in the amount of \$240,800 to repair 30 homes located within the city limits of Emporia. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Geitz, aye.

CITY COMMISSION

(Adopt 2020 Joint Legislative Statement for Emporia and Lyon County)

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated City staff has met with the local Legislative Policy

Committee whose members represent the Chamber of Commerce, Lyon County, City of Emporia and input from numerous community organizations. This statement was prepared by the Emporia Chamber of Commerce and addresses Education, Health Care, Transportation, Economic Development and Tax Policy. These issues were reviewed at a previous study session and staff is recommending adopting the 2020 Joint Legislative Statement.

Commissioner Smith made a motion to adopt the 2020 Joint Legislative Statement for Emporia and Lyon County as presented. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

**CITY OF EMPORIA
(Adopt 2020 Legislative Policy Statement)**

Commissioner Smith made a motion to table this item until the next regular scheduled Commission meeting. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Pleasant Point Subdivision)
(Rural Housing Incentive District)
(Public Hearing)**

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated this public hearing is a requirement of Kansas statute related to the establishment of an Rural Housing Incentive District (RHID) for the Pleasant Point Subdivision. The State of Kansas approved the eligibility of this area for inclusion of an RHID on November 8, 2019. The Pleasant Point Subdivision is located between Elm Street and Oak Street and 6th Avenue and 7th Avenue. There will be 10 buildable lots within that area. On November 20, 2019, the Commission approved a resolution that included the Development Plan and supporting documents and for the required public hearing. This hearing is the next to the last step in the process of the formal approval of the Pleasant Point

Subdivision RHID.

Mayor Geitz then declared the public hearing opened.

As no one in attendance wished to address the Governing Body, Mayor Geitz then declared the public hearing closed.

CITY COMMISSION
(Adopt the Development Plan Pleasant Point Subdivision)
(Rural Housing Incentive District)
(Ordinance Number 20-01)

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDING IN CONJUNCTION THEREWITH (PLEASANT POINT), to which the City Clerk assigned Ordinance Number 20-01, was presented to the Governing Body for their consideration.

Commissioner Gilligan made a motion to approve Ordinance Number 20-01, an ordinance adopting the Development Plan for the Pleasant Point Subdivision housing development within the City's Rural Housing Incentive District in accordance with Kansas statutes. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Geitz, aye.

CITY COMMISSION
(City Manager's Report)

This is a verbal report that announces upcoming events, recognized employees for outstanding contributions and provides the public information that may be of a general interest. The following information was presented at the meeting.

At the time this agenda was prepared, the following items were in the works:

City Manager stated there would be a possible Study Session before the next regular scheduled meeting on January 15, 2020.

EXECUTIVE SESSION

Commissioner Gilligan made a motion to adjourn into Executive Session to discuss proprietary information of a private business considering expansion in the City of Emporia and to invite Special Project Manager Jim Witt and newly elected Commissioner Brinkman, from 1:45 p.m. to 2:05 p.m., in the City Conference Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Upon reconvening the meeting in Regular Session, at 2:05 p.m., this same date, in the City Conference Room, Mayor Geitz stated they had discussed proprietary information of a private business considering expansion in the City of Emporia and no action was taken.

CITY COMMISSION (State of City Speech) (Mayor Jon Geitz)

As we close out this term of the Emporia city commission, it is appropriate to reflect on the year and what we have accomplished. This commission has been very focused on maintaining the financial strength of the community, investing in our infrastructure, and improving the quality of life available in Emporia. I have enjoyed serving as Mayor, and look forward to working with our new commission going forward. I have full confidence that the commission will continue to prepare Emporia for the future, and strengthen our community.

The financial strength of the city is very important. Commissioners work hard to balance the wants and needs of the community with the ability to maintain a strong financial position. The city received the CAFR award again, as a reflection of the clarity and quality of our financial statements. Congrats to the finance department. One of the benefits to having strong finances is the ability to borrow needed funds at a low interest rate. The city used some of these low interest loans to finance the Waste Water Treatment Facility, the downtown sewer replacements, and the repair and replacement of other water system projects. These improvements should serve the community for decades. Another example of financial strength has been the investment in our local parks. In 2019, we added the splash pad at Peter Pan, new playground equipment, and partnered with the Eastside Community Group to design a basketball court that will be built later this spring.

One of the benefits to serving as Mayor is to see the many different activities that add to the quality of our citizens' lives. Downtown

Emporia continues to see redevelopment and should have more mixed space opened in the old Citizens bank building later this year. We also continue to have more festivals and events downtown from major events like the DK or Glass Blown Open to the weekly Live in the Lot Concerts to Cinco De Mayo. As I mentioned previously, the commission made large investments in our local parks, and they are busy as ever with families. The Zoo is also going through a multi-year investment, and will continue to be one of the gems of Emporia.

In closing, 2019 was a good year in the community. Our economy is strong, and employers are continuing to look for opportunities to expand. One of the strengths of the community is the citizen and group efforts to make Emporia a good place to live, work, and raise a family. The commission will continue to guide the community forward, and I look forward to being part of the conversation.

Commissioner Gilligan then made a motion to adjourn sine di. Commissioner Giefer seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Jon Geitz, Mayor

ATTEST:

Kerry Sull, City Clerk

Commissioners Brinkman, Geitz, Giefer, Gilligan and Smith convened as the Governing Body.

City Clerk administered the Oath of Office.

Commissioner Geitz made a motion nominating Danny Giefer to serve as Mayor for the coming year. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Gilligan, aye; and Mayor Giefer, aye.

Commissioner Geitz made a motion nominating Rob Gilligan to serve as Vice-Mayor for the coming year. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Gilligan, aye; and Mayor Giefer, aye.

CITY COMMISSION
(Approve Surety Bonds)

Commissioner Gilligan made a motion to approve Surety Bonds for the City Manager McAnarney, City Clerk Sull and City Treasurer Harrouff. The City has obtained Surety Bonds from Cincinnati Insurance Co. for the 2020 fiscal year. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

CITY COMMISSION
(Designate Official City Newspaper)

Commissioner Smith made a motion to designate The Emporia Gazette to be the official City newspaper, as per K.S.A. 12-1420. The City is required by State law to designate an official newspaper, which must have a general circulation in the City. Commissioner Geitz seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Gilligan, aye; and Mayor Giefer, aye;

CITY COMMISSION
(Designate Financial Institutions)

Commissioner Brinkman made a motion to designate the following financial institution to serve as depositories of funds of the City of Emporia, per K.S.A. Supp. 9-401: Citizens State Bank; Community National Bank & Trust; ESB Financial and Lyon County State Bank. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Gilligan, aye; and Mayor Giefer, aye.

REGIONAL DEVELOPMENT ASSOCIATION OF EAST-CENTRAL KANSAS BOARD
(Appoint Governing Body Representation)

Commissioner Geitz made a motion to appoint Commissioner Geitz as the representative of the Governing Body to participate in the activities of the Regional Development Associate of East-Central Kansas Board. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

JOINT ECONOMIC DEVELOPMENT ADVISORY COUNCIL
(Appoint Governing Body Representation)

Commissioner Geitz made a motion to appoint Commissioner Brinkman as a representative of the Governing Body to participate in the activities of the Joint Economic Development Advisory Council. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

RECREATION COMMISSION
(Appoint Governing Body Representation)

Commissioner Geitz made a motion to appoint Mayor Giefer as a representative of the Governing Body to participate in the activities of the Emporia Recreation Commission. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**EMPORIA COMMUNITY FOUNDATION BOARD
(Appoint Governing Body Representation)**

Commissioner Geitz made a motion to Commissioner Smith as a representative of the Governing Body to participate in the activities of the Emporia Community Foundation Board. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**WILLIAM ALLEN WHITE COMMUNITY PARTNERSHIP
(Appoint Governing Body Representation)**

Commissioner Geitz made a motion to appoint Commissioner Smith as a representative of the Governing Body to participate in the activities of the William Allen White Community Partnership. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**EMPORIA ENTERPRISES
(Appoint Governing Body Representation)**

Commissioner Geitz made a motion to appoint Commissioner Gilligan as a representative of the Governing Body to participate in the activities of the Emporia Enterprises Board. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**EMPORIA CONVENTION AND ADVISORY BOARD
(Appoint Governing Body Representation)**

Commissioner Geitz made a motion to appoint Commissioner Brinkman as a representative of the Governing Body to participate in the activities of the Emporia Convention and Advisory Board. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**JOINT CITY/COUNTY FACILITIES AND SERVICES COMMUNITY BOARD
(Appoint Governing Body Representation)**

Commissioner Geitz made a motion to appoint Commissioner Gilligan as a representative of the Governing Body to participate in the activities of the Joint City/County Facilities and Services Community Board. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Commissioner Smith then made a motion to adjourn. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk